



6 **UNITED STATES DISTRICT COURT**
7 **CENTRAL DISTRICT OF CALIFORNIA**

8 UNITED STATES OF AMERICA,

9
10 Plaintiff,

11 v.

12 ALFONSO MURILLO-RIOS

13
14 Defendant.

CASE NO. 11-MJ-02240

ORDER OF DETENTION

15
16 I.

17 A. ☒ On motion of the Government in a case allegedly involving:

18 1. ☐ a crime of violence.

19 2. ☒ an offense with maximum sentence of life imprisonment or death.

20 3. ☒ a narcotics or controlled substance offense with maximum sentence
21 of ten or more years .

22 4. ☐ any felony - where the defendant has been convicted of two or more
23 prior offenses described above.

24 5. ☐ any felony that is not otherwise a crime of violence that involves a
25 minor victim, or possession or use of a firearm or destructive device
26 or any other dangerous weapon, or a failure to register under 18
27 U.S.C § 2250.

28 B. ☒ On motion by the Government / ☐ on Court's own motion, in a case

1 allegedly involving:

2 ☒ On the further allegation by the Government of:

3 1. ☒ a serious risk that the defendant will flee.

4 2. ☐ a serious risk that the defendant will:

5 a. ☐ obstruct or attempt to obstruct justice.

6 b. ☐ threaten, injure, or intimidate a prospective witness or juror or
7 attempt to do so.

8 C. The Government ☒ is/ ☐ is not entitled to a rebuttable presumption that no
9 condition or combination of conditions will reasonably assure the defendant's
10 appearance as required and the safety of any person or the community.

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12 II.

13 A. ☒ The Court finds that no condition or combination of conditions will
14 reasonably assure:

15 1. ☒ the appearance of the defendant as required.

16 ☐ and/or

17 2. ☐ the safety of any person or the community.

18 B. ☒ The Court finds that the defendant has not rebutted by sufficient
19 evidence to the contrary the presumption provided by statute.

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21 III.

22 The Court has considered:

23 A. the nature and circumstances of the offense(s) charged, including whether the
24 offense is a crime of violence, a Federal crime of terrorism, or involves a minor
25 victim or a controlled substance, firearm, explosive, or destructive device;

26 B. the weight of evidence against the defendant;

27 C. the history and characteristics of the defendant; and

28 D. the nature and seriousness of the danger to any person or to the community.

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IV.

The Court also has considered all the evidence adduced at the hearing and the arguments and/or statements of counsel, and the Pretrial Services Report/recommendation.

V.

The Court bases the foregoing finding(s) on the following:

A. (X) As to flight risk: _____

Defendant has no resources available that would overcome risk of flight.

B. () As to danger: _____

VI.

A. () The Court finds that a serious risk exists that the defendant will:

1. () obstruct or attempt to obstruct justice.

2. () attempt to/ () threaten, injure or intimidate a witness or juror.

1 B. The Court bases the foregoing finding(s) on the following: _____
2 _____
3 _____
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9 VII.

- 10
- 11 A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.
- 12 B. IT IS FURTHER ORDERED that the defendant be committed to the
- 13 custody of the Attorney General for confinement in a corrections facility
- 14 separate, to the extent practicable, from persons awaiting or serving
- 15 sentences or being held in custody pending appeal.
- 16 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable
- 17 opportunity for private consultation with counsel.
- 18 D. IT IS FURTHER ORDERED that, on order of a Court of the United States
- 19 or on request of any attorney for the Government, the person in charge of
- 20 the corrections facility in which the defendant is confined deliver the
- 21 defendant to a United States marshal for the purpose of an appearance in
- 22 connection with a court proceeding.

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26 DATED: 9/27/2011

Patrick J. Walsh
HON. PATRICK J. WALSH
UNITED STATES MAGISTRATE JUDGE